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CENTRAL FAX CENTER**JUL 06 2006****REMARKS**

Claims 1-26 are pending. Claims 1-26 are rejected.

Claims 3-4 and 16-17 are rejected under 35 U.S.C. §112. Specifically, Examiner stated that the limitation "said transactions" lacks antecedent basis. Independent claims 1, 14 and dependent claims 3, 16 have been amended to recite the various transactions with more particularity. It is respectfully submitted, therefore, that the rejection of claims 3-4 and 16-17 under 35 U.S.C. §112 has been overcome.

Claims 1-2, 5-15 and 18-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,725,297 to Askar et al (hereinafter "Askar"). Claims 3 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Askar as applied to claim 1, and further in view of U.S. Patent No. 5,260,935 to Turner (hereinafter "Turner"). Claims 4 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Askar as applied to claim 1, and further in view of Publication No. 2003/0217239 to Jeddeloh (hereinafter "Jeddeloh"). Applicant respectfully traverses the all rejections of the pending claims under 35 U.S.C. §103(a).

With regard to the rejection of independent claims 1 and 14, Applicants respectfully submit that Examiner has failed to meet the requirements for rejection under 35 U.S.C. §103(a). Examiner correctly observes that Askar does not teach converting a first transaction into an internal format. Examiner further states that "Askar does not teach translating formats from an internal format to a second format." Examiner then states, however, that "[i]t would have been obvious to have the first transaction module translate from a first format into the internal format of the peripheral interface circuit because this would have allowed for different bus 50/140 protocols."

Applicants respectfully submit that Examiner's statement of alleged obviousness amounts to a hindsight reconstruction that fails to meet the required standards for a rejection under 35 U.S.C. §103(a).

The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification.

....  
Here, the Examiner relied upon hindsight to arrive at the determination of obviousness. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. This court has previously stated that "[o]ne cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. *In re Fritch*, 23 USPQ 2d at 1783-84 (quoting *In re Fine*, 837 F.2d 1071, 1075, 5 USPQ 2d 1596, 1600 (Fed. Cir. 1988)).

To establish obviousness based on a combination of elements disclosed in the prior art or a modification of the prior art, there must be some motivation, suggestion or teaching of the desirability of making the claimed invention. See *In re Dance*, 48 USPQ2d 1635, 1637 (Fed. Cir. 1998); *In re Gordon*, 221 USPQ 1125, 1127 (Fed. Cir. 1984). The motivation, suggestion or teaching to modify references may come explicitly from statements in the prior art, the knowledge of one of ordinary skill in the art, or, in some cases, the nature of the problem to be solved. *In re Dembiczak*, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999). Whether the Office Action relies on an express or implicit showing of a motivation or suggestion to modify or combine references, it must provide particular findings related thereto. *In re Dembiczak*, 50 USPQ2d at 1617. Broad conclusory statements standing alone are not "evidence." *Id.* Thus, the Office Action must include particular *factual findings* that support an assertion that a skilled artisan would have modified the express disclosure of Askar to develop the invention recited by independent claims 1 and 14. See *In re Kotzab*, 55 USPQ2d 1313, 1317. Applicants are unable to discern the requisite factual basis in Askar or the Office Action.

To prevent a hindsight-based obviousness analysis, the Federal Circuit has clearly established that the relevant inquiry for determining the scope and content of the prior art is whether there is a reason, suggestion, or motivation in the prior art or elsewhere that would have led one of ordinary skill in the art to combine or modify references. See *Rutz v. A.B. Chance Co.*, 57 USPQ2d 1161, 1167 (Fed. Cir. 2000); see also *In Re Rouffet*, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998) ("[T]he Board must identify specifically ... the reasons one of ordinary skill in the art would have been motivated to select the references and combine them to render the claimed invention obvious."). Such a determination that there is a suggestion or motivation to modify Askar is a factual finding that is prerequisite to an ultimate conclusion of obviousness.


*Sibia Neurosciences, Inc. v. Cadus Pharma. Corp.*, 55 USPQ2d 1927, 1931 (Fed. Cir. 2000).

Applicant respectfully submits that the Office Action is devoid of such a finding.

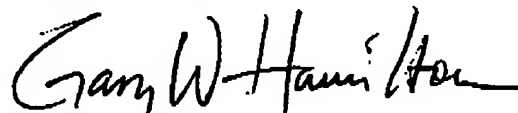
Without such a finding, a *prima facie* case of obviousness in rejecting claims 1 and 14 under 35 U.S.C. § 103(a) based on Askar has not been made. For this further reason, Applicants respectfully submit that claims 1 and 14 are patentably distinguished over Askar and Applicants respectfully request the Examiner to remove the rejections of claims 1 and 14. Applicants further submit that all of the claims dependent on independent claims 1 and 14 are allowable as being dependent on an allowable base claim.

#### CONCLUSION

In view of the amendments and remarks set forth herein, Applicant respectfully submits that all pending claims are in condition for allowance. Accordingly, Applicant requests that a Notice of Allowance be issued. Nonetheless, should any issues remain that might be subject to resolution through a telephone interview, the Examiner is requested to telephone the undersigned at 512-338-9100.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, COMMISSIONER FOR PATENTS, PO Box 1450, Alexandria, VA 22313-1450, on July 6, 2006.	
	7/6/06
Attorney for Applicant(s)	Date of Signature

Respectfully submitted,



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